

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Inquiry Regarding Carrier Current)	ET Docket No. 03-104
Systems, Including Broadband over)	
Power Line Systems)	

TO: THE COMMISSION

REPLY COMMENTS OF THE POWER LINE COMMUNICATIONS ASSOCIATION

The Power Line Communications Association (the “PLCA”),¹ by its counsel, and pursuant to Section 1.415 of the Commission’s Rules, 47 C.F.R. § 1.415, hereby submits reply comments in response to comments made in response to the above-referenced Notice of Inquiry (“*NOI*”).

I. Policy Issues are Beyond the Scope of This Proceeding.

The Commission’s sole purpose in this proceeding is to “evaluate the current state of [Broadband over Power Line (“BPL”)] technology and determine whether changes to Part 15 of the Commission’s rules are necessary to facilitate the deployment of this technology.” *NOI* ¶ 2. Several parties to this proceeding have filed comments, however, that have nothing whatsoever to do with this purpose. Incumbent local exchange carriers, for example, have attempted to use this proceeding to voice their longstanding belief that their provision of digital subscriber line

¹ The PLCA is a domestic trade association representing the interests of electric utilities, manufacturers, and Internet service providers interested in offering power line communications. The PLCA’s membership includes Ameren Corporation, Dominion Resources, Inc., Southern Company, TXU Electric, Progress Energy, PPL, Earthlink, Main.net, Big River Telephone Company, Ambient Corporation, Plexeon Logistics, Inc., and Softential.

broadband service should be deregulated.² Similarly, consumer groups have asked in this proceeding that the Commission create a regulatory framework for all broadband that provides regulatory parity, encourages deployment and promotes facilities-based competition.³ Cable operators, in turn, have used the proceeding to take unsolicited and unfounded attacks on utility companies and their pole attachment practices.⁴ The PLCA urges the Commission to avoid these and other policy arguments that have no bearing on this proceeding, and to focus upon technical issues essential to the ubiquitous deployment of BPL.

II. Interference Concerns are Overstated and Unsupported.

Turning, then, to the matters of substance in this proceeding, none is more important than whether BPL technology can coexist in spectrum already crowded with dozens of types of licensed and unlicensed users. The evidence submitted in this proceeding to date shows that BPL can coexist, and that it does not pose a risk of causing harmful interference to other spectrum users.

Several parties have speculated that BPL systems will cause harmful interference. Some parties, for example, believe that the “use of BPL with overhead power lines would create large antennas with potentially significant radiated emissions as the transmission travels down throughout the lines [and] propagate[s] throughout entire neighborhoods causing potential interference to many electronic devices and licensed services throughout that service area.”⁵ This concern is not well-founded, however, as BPL emissions will come only from short

² See, e.g., Comments of Qwest Communications, ET Doc. No. 03-104 (filed July 7, 2003).

³ See Comments of the Alliance for Public Technology, ET Doc. No. 03-104 (filed July 7, 2003).

⁴ See Comments of the Joint Cable Operators, ET Doc. No. 03-104 (filed July 7, 2003).

⁵ See, e.g., Comments of the Information Technology Industry Council, ET Doc. No. 03-104 (filed July 7, 2003).

stretches of the power line adjacent to the BPL device, and any BPL emissions quickly diminish.⁶

Other commenting parties suggest that BPL will cause interference into various bands, such as the broadcast bands of television channels 2-5.⁷ As an initial matter, these broadcast channels, which operate at a level from 54-82 MHz, are outside of the spectrum where current BPL providers operate their systems.⁸ Yet, even to the extent that BPL may operate in bands shared by broadcasters, by amateur operators or by other parties, no showing has been made by these parties that BPL will cause harmful interference. In fact, with one exception, the comments in opposition to BPL are not supported by any considerable, documented studies.⁹ Rather, opposing comments are premised on, at best, simulations that purport to show interference. More often, however, the opponents offer only conjecture. No matter how loud opponents may shout, they cannot point to evidence in this country that BPL systems are causing, have caused, or will cause, harmful interference to other spectrum users or other third parties.

⁶ See, e.g., Comments of Current Technologies, LLC, ET Doc. No. 03-104 (filed July 7, 2003); *see also* Reply Comments of Ameren Energy Communications, Inc., ET Doc. No. 03-104 (filed August 20, 2003).

⁷ See, e.g., Comments of The National Association of Broadcasters, ET Doc. No. 03-104 (filed July 7, 2003)

⁸ See, e.g., Comments of Amperion, Inc., ET Doc. No. 03-104 (filed July 7, 2003) (operations from 1.7 to 30 MHz).

⁹ See Comments of National Association for Amateur Radio ("ARRL"), ET Doc. No. 03-104 (filed July 7, 2003). The study offered by ARRL is unavailing, however, as it is premised upon a single-line model that is atypical to the way in which a power system operates.

In fact, the evidence offered to date in this proceeding is the opposite. Studies offered by several entities show that BPL systems in operation are not causing harmful interference and that operators of the systems have never received interference complaints.¹⁰ The Commission should rely upon these real-world tests of BPL, and not upon simulations or speculations, as it determines the many issues presented in this proceeding.

Respectfully submitted,

Alan R. Shark
President
Power Line Communications Association
200 North Glebe Road
Suite 1000
Arlington, VA 20004-2134
(202) 835-7814
www.plca.net

/s/ Raymond A. Kowalski
Richard P. Keck
Raymond A. Kowalski
Eric J. Schwalb
TROUTMAN SANDERS LLP
401 9th Street, NW
Suite 1000
Washington, DC 20004-2134
(202) 274-2950

Its Counsel

August 20, 2003

¹⁰ See, e.g., Comments of Ameren Energy Communications, Inc., ET Doc. No. 03-104 (filed July 7, 2003).